

601 KAR 23:020. Military surplus vehicle.

RELATES TO: KRS 186.010, 186.020, 186A.070(1), 186A.073, 186A.115, 186A.170, 49 C.F.R. Section 571.7

STATUTORY AUTHORITY: KRS 186A.020, 186A.073, 186A.115(2)(b), (c)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 186A.073(4) and (5) requires the Kentucky Transportation Cabinet to promulgate administrative regulations establishing the procedures necessary to apply for, and obtain title for a military surplus vehicle. This administrative regulation establishes the requirements for an applicant to obtain a certificate of title and registration for a military surplus vehicle.

Section 1. Definitions. (1) "Military surplus vehicle" is defined by KRS 186.010(20).

(2) "Motor vehicle" is defined by KRS 186.010(4).

Section 2. Application for Title. (1) The owner of a military surplus vehicle shall apply for a certificate of title as established in paragraphs (a) through (c) of this subsection.

(a) The military surplus vehicle shall be inspected by a certified motor vehicle inspector who meets the requirements of 601 KAR 9:085 and 601 KAR 9:090.

(b) The certified motor vehicle inspector shall complete a Military Surplus Vehicle Inspection form, TC 96-344, certifying that the vehicle is roadworthy.

(c) The applicant for title shall submit to the county clerk of residence:

1. The completed Military Surplus Inspection form, TC 96-344, and supporting documents that establish the sale or transfer of the vehicle from the military or the military's designated agent to the applicant; and

2. Proof that the military surplus vehicle was originally manufactured in accordance with mandated requirements established in 49 C.F.R. Section 571.7. A military surplus vehicle built prior to 1968 and prior to the requirements of 49 C.F.R. Section 571.7 shall be exempt from inspection.

(2) If the previous owner is a person or entity other than the military or the military's designated agent, the applicant shall submit a completed Application for Kentucky Certificate of Title or Registration, TC 96-182, and the supporting documents as required by KRS 186.020 and 186A.070(1).

(3) A military surplus vehicle shall remain designated as a military surplus vehicle after transfer of ownership or sale.

(4) A military surplus vehicle inspected pursuant to subsection (1)(a) of this section shall not be inspected again as an out-of-state vehicle as required by KRS 186A.115.

(5) The county clerk of residence shall issue an original certificate of title without a special brand unless the vehicle was originally branded in another state.

Section 3. Certification. (1) A military surplus vehicle that has been certified as roadworthy pursuant to the vehicle inspection in Section 2(1)(a) of this administrative regulation shall be considered a motor vehicle and shall not require a re-inspection.

(2) A roadworthy military surplus vehicle may be processed through speed title pursuant to KRS 186A.170(1)(b).

Section 4. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Application for Kentucky Certificate of Title or Registration", TC 96-182, October, 2015; and

(b) "Military Surplus Vehicle Inspection", TC 96-344, May, 2017.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Vehicle Regulation, 200 Mero Street, Frankfort, Kentucky 40622, Monday through Friday, 8:00 a.m. to 4:30 p.m. This material may also be obtained by accessing the department's Web site at <http://Drive.ky.gov/> (44 Ky.R. 1171, 1520; eff. 1-30-2018.)